

facsimile transmittal**AB Applied Biosystems**

An Applera Corporation business

Legal Department
Fax No. 650-638-6677**850 Lincoln Centre Drive**
Foster City, CA 94404-1128 USA
www.appliedbiosystems.com

TO:	Office of Petitions	DATE:	February 19, 2002
COMPANY:	Patent & Trademark Office	FROM:	Cheri Gomez
FAX NO:	8-1-703-308-6916	TEL:	650-638-5039
		OUR REF.	4480C1/ BT-4S22
		PAGES:	35
SUBJECT:	U.S. Patent Application No. 09/075,392 Filing Date: May 8, 1998 Title: Improvements in Thermal Cycler for PCR		

MESSAGE:**Attached please find:**

1. Five (5) fax sheet confirmation reports;
2. Power of Attorney or Authorization of Agent (1 page);
3. Request to Rescind Holding of Abandonment for Failure to Receive Office Action (2 pgs);
4. Exhibit 1 (16 pgs);
5. Exhibit 2 (7 pgs); and
6. Exhibit 3 (3 pgs).

FAX RECEIVED**FEB 19 2002****PETITIONS OFFICE****RECEIVED****FEB 22 2002****Technology Center 2100**

Note: The information contained in this facsimile message may be attorney-client privileged and may contain confidential information intended only for the use of the individual named above, and others who have been specifically authorized to receive it. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately, telephone no. 650-638-6179, and return the original transmission to us by mail without making a copy. Thank you.

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Confirmation Report - Memory Send

Time : Feb-04-2002 03:35pm
 Tel line : +6506386677
 Name : APPLIED BIOSYSTEMS LEGAL 2

RECEIVED

FEB 22 2002

Technology Center 2100

Job number : 375
 Date : Feb-04 03:20pm
 To : 817037467239
 Document pages : 034
 Start time : Feb-04 03:20pm
 End time : Feb-04 03:35pm
 Pages sent : 034
 Status : OK
 Job number : 375

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*** SEND SUCCESSFUL ***

Facsimile Transmittal

Legal Department
 Fax No. 650-638-6677

AB Applied Biosystems
 An Applied Corporation Business

850 Lincoln Centre Drive
 Foster City, CA 94404-1128 USA
 www.appliedbiosystems.com

TO:	AYBE Shookh, SPE	DATE:	February 4, 2002
COMPANY:	Patent & Trademark Office	FROM:	Cheri Gomez
FAX NO:	8-1-703-746-7239	TEL:	650-638-5039
		OUR REF:	4480C1/ UT-4522
		PAGES:	34
SUBJECT:	U.S. Patent Application No. 09/075,392 Filing Date: May 8, 1998 Title: Improvements in Thermal Cycler for PCR		

MESSAGE:

Attached please find:

1. Power of Attorney or Authorization of Agent (1 page);
2. Four (4) fax sheet confirmation reports;
3. Request to Rescind Holding of Abandonment for Failure to Receive Office Action (2 pgs);
4. Exhibit 1 (16 pgs);
5. Exhibit 2 (7 pgs); and
6. Exhibit 3 (3 pgs).

NOTE: The information contained in this facsimile message may be classified as confidential and may contain confidential information intended only for the use of the individual named above, and where who have been specifically authorized to receive it. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately, telephone no. 650-638-6677, and return the original transmission to us by mail without making a copy. Thank you.

Copy of papers previously
 submitted in 09/075,392

TO:Auto-reply fax to 6506386677 COMPANY:

Auto-Reply Facsimile Transmission

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FEB 22 2002
Technology Center 2100



UNITED STATES
PATENT AND
TRADEMARK OFFICE

To: Fax Sender at 6506386677
From: United States Patent and Trademark Office

Fax information...
Date Received: 11/5/01 6:48:02 PM [Eastern Standard Time]
Total Pages: 29 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of your facsimile transmission. Please confirm the number of pages received is consistent with that intended to be sent. Applicants are advised to use the certificate of facsimile transmission procedures when submitting a reply to a non-final or final Office action by facsimile (37 CFR 1.8(a)). Applicants are also advised to retain this return receipt in the unlikely event that the Office has no record of the facsimile submission, whether the facsimile submission is a reply to an Office action (37 CFR 1.8(b)), or a continued

Received
Cover
Page

=====>

Rev-11-2001 6:14pm	From-APPLIED BIOSYSTEMS LEGAL 2	6506386677	T-295 P.003	F-519
FE BIOSYSTEMS A FE Corporation Business 850 Lincoln Centre Drive Foster City, CA 94404-1128				
FAX TRANSMITTAL				
Date: November 5, 2001				
To: Brian Becker Examiner Group Art Unit 2155				
Company: Patent and Trademark Office				
Fax No.: 703-746-7238				
Telephone No.: 703-305-8624				
From: Cheryl Gomez for Harry G. Tidwell Legal Department Fax No.: 650-438-6677 Telephone No.: 650-438-5039				
Subject: U.S. Patent Application No. 09/075,392 Filing Date: May 8, 1998 Title: Improvements in Thermal Cycler for PCR				
Case No.: BT-4612/715-9091804480C1				
No. of pages (including cover sheet): 29				
Message:				
Attached please find our Request to Reconsider Holding of Abandonment for Failure to Receive Office Action along with Exhibits 1 - 3.				
<small>Note: The information contained in this facsimile message may be attorney-client privileged and may contain confidential information limited only for the use of the individual named above, and others who have been specifically authorized to receive it. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender immediately by telephone (650) 438-6677 and return the original transmission to you by mail without making a copy. Thank you.</small>				

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TECHNICAL OFFICE

COPY of papers previously
submitted in 09/075,392

Confirmation Report - Memory Send

Time : Nov-05-2001 04:46pm
Tel line : 6506386677
Name : APPLIED BIOSYSTEMS LEGAL 2

Job number : 019
Date : Nov-05 04:33pm
To : 817037467238
Document pages : 029
Start time : Nov-05 04:33pm
End time : Nov-05 04:46pm
Pages sent : 029
Status : OK

Job number : 019

*** SEND SUCCESSFUL ***

PE BIOSYSTEMS
A PE Corporation Business
850 Lincoln Centre Drive
Foster City, CA 94404-1128

FAX TRANSMITTAL

Date: November 5, 2001

To: Firmin Backer
Examiner
Group Art Unit 2155

Company: Patent and Trademark Office

Fax No.: 703-746-7238

Telephone No.: 703-305-0624

From: Cheri Gomez for Harry G. Talbault
Legal Department
Fax No.: 650-638-6677
Telephone No.: 650-638-5039

Subject: U.S. Patent Application No.: 09/075,392
Filing Date: May 8, 1998
Title: Improvements in Thermal Cycler for PCR

Case No.: BT-4522/715-009180/4480C1

No. of pages (including cover sheet): 29

Message:

Attached please find our Request to Rescind Holding of Abandonment for Failure to Receive Office Action along with Exhibits 1 - 3.

Note: The information contained in this facsimile message may be attorney-client privileged and may contain confidential information intended only for the use of the individual named above, and others who have been specifically authorized to receive it. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify me immediately by telephone (650) 638-6179 and return the original transmission to me by mail without making a copy. Thank you.

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Technology Center 2100

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PETITIONS OFFICE

COPY of papers previously
submitted in 09/075,392

Case No. BT-4522/715-009180/4480C1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Arwood et al.

Serial No.: 09/075,392

Filed: May 8, 1998

For: IMPROVEMENTS IN THERMAL
CYCLER FOR PCR

) Group Art Unit: 2155

) Examiner: Backer, F.

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being filed with the United States Patent and Trademark Office by facsimile transmission to facsimile telephone number 703-305-3718, Attn: Examiner Firmin Backer, on August 8, 2001.

Signature: Cheri GomezName: Cheri GomezDate: August 8, 2001and again on Aug. 16, 2001Patti D. Selan PATTI D. SELAN

→ Faxed to 703-746-7238 on 11/5/01 /KRS

**Request to Rescind Holding of Abandonment
for Failure to Receive Office Action**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

1. With reference to the Office Action allegedly mailed by the Patent Office on December 4, 2000, and the Notice of Abandonment mailed July 2, 2001, applicant respectfully requests that the abandonment be rescinded pursuant to the Notice entitled "Withdrawing the Holding of Abandonment When Office Actions Are Not Received" published at 1156 Official Gazette 53 (Nov. 16, 1993) as discussed in MPEP 711.03(c) (Rev. 1, Feb. 2000).

2. Applicant submits that this request is appropriate in light of the following:

- (a) On September 27, 1999, applicant notified the Patent Office of a change of correspondence address to

Harry G. Thibault
PE APPLIED BIOSYSTEMS DIVISION
The Perkin-Elmer Corporation
850 Lincoln Centre Drive
Foster City, California 94404
Telephone: 650.638.6014
Facsimile: 650.638.6071

*Duplicate
of
Paper # 13
Attachment*

FAX RECEIVED
FEB 19 2002
PATENT OFFICE

Copies of the address change and return receipt postcard date stamped 9/30/99 by the Patent Office are attached as Exhibit 1.

- (b) The Office action was not received by Applicant's attorneys. A search of the file jacket and docket records indicates that the action was never received.
- (c) Also enclosed as Exhibit 2 is a printout of a docket report showing all replies docketed for a date three months from the mail date of the nonreceived Office action. As can be seen, there is no entry for the nonreceived Office action.

3. Applicant respectfully requests that the Office action mailed December 4, 2000, be remailed with a new response date.

4. No fee is believed to be due for processing this Request. If otherwise, the Commissioner is hereby authorized to take such fee from Applied Biosystems Deposit Account No. 01-2213 (Order No. 4480C1).

5. As noted in the Request To Change Correspondence Address mailed June 19, 2001, a copy of which is attached as Exhibit 3, please send all future correspondence for this matter to:

David Aker
Perman & Green, LLP
425 Post Road
Fairfield, CT 06430

Respectfully submitted,

Date:

8/8/01


Harry G. Thibault, Reg. No. 26,347
Attorney for Applicants

CORRESPONDENCE ADDRESS

David Aker
Perman & Green, LLP
425 Post Road
Fairfield, CT 06430
Telephone: 203-259-1800
Facsimile: 203-255-5170
Customer No.: 2512

Exhibit 1

Date Mailed: September 27, 1999

Case No.: 4480C1

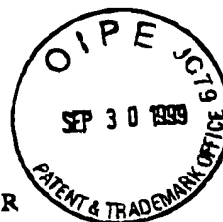
Assistant Commissioner for Patents
Washington, D.C. 20231

Applicants: Atwood et al.

Serial No.: 09/075,392

Filing Date: May 8, 1998

For: IMPROVEMENTS IN THERMAL CYCLER FOR PCR



Enclosed are the following:

1. Certificate Under 37 CFR 3.73(b) and Associate Power of Attorney (2 pages);
2. Copy of Recordation of Assignment Document (10 pages);
3. Change of Correspondence Address of Application (1 page);
4. Request to Change Attorney Docket Number (1 page);
5. Certificate of Mailing; and
6. Return Postcard.

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FEB 19 2002

PETITIONS OFFICE

COPY of papers previously
submitted in 09/075,392

Case No. BT-4522

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Atwood et al.

Serial No. 09/075,392

Filed: May 8, 1998

For: IMPROVEMENTS IN THERMAL
CYCLER FOR PCR

) Art Unit: 2764

) Examiner: To Be Assigned

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on

September 27, 1999
(Date of Deposit)

Twana Sanders
Name of Depositing Party

Brian Sanders
Signature of Depositing Party

CERTIFICATE UNDER 37 CFR 3.73(b)

and

ASSOCIATE POWER OF ATTORNEY

FAX RECEIVED

Assistant Commissioner for Patents
Washington, D.C. 20231

FEB 19 2002

PETITIONS OFFICE

Sir:

The undersigned has reviewed all the documents in the chain of title of the above-identified patent application and, to the best of undersigned's knowledge and belief, title is in the assignee identified below. Attached hereto is a copy of the Notice of Recordation of Assignment Document and Assignment Document for this application.

The Perkin-Elmer Corporation, a New York Corporation, having its principal place of business at 761 Main Avenue, Norwalk, Connecticut, 06859, certifies that it is the assignee and owner of the entire right, title and interest in, to and under the invention described and claimed in the above-identified application, and hereby requests the Commissioner to recognize as Associate Attorney in this case:

Harry G. Thibault, Reg. No. 26,347

The undersigned, whose title is supplied below, is empowered to act on behalf of the assignee.

COPY of papers previously
submitted in 09/075,392

I hereby declare that all statements made herein of own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Please direct all communications relative to said pending patent application to:

Harry G. Thibault
PE APPLIED BIOSYSTEMS DIVISION
The Perkin-Elmer Corporation
850 Lincoln Centre Drive
Foster City, California 94404
Telephone: 650.638.6014
Facsimile: 650.638.6071

The Perkin-Elmer Corporation

Date: September 23, 1999

By: 

Joseph H. Smith
Vice President



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

OCTOBER 16, 1998

PTAS

THE PERKIN-ELMER CORP.
DAVID AKER
761 MAIN AVENUE
M/S 199
NORWALK, CT 06859



RECEIVED

OCT 26 1998

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

PATENT LAW DEPT.

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 07/27/1998

REEL/FRAME: 9345/0899
NUMBER OF PAGES: 8

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

ATWOOD, JOHN G.

DOC DATE: 07/14/1998

ASSIGNOR:

FAWCETT, ADRIAN

DOC DATE: 07/16/1998

ASSIGNOR:

FERRARA, KEITH S.

DOC DATE: 07/09/1998

ASSIGNOR:

HETHERINGTON, PAUL M.

DOC DATE: 07/10/1998

ASSIGNOR:

NOREIKS, RICHARD W.

DOC DATE: 07/09/1998

ASSIGNOR:

OLSEN, DOUGLAS E.

DOC DATE: 07/09/1998

ASSIGNOR:

WIDOMSKI, JOHN R.

DOC DATE: 07/17/1998

COPY of papers previously
submitted in 09/075,392

9345/0899 PAGE 2

ASSIGNOR:

WITTMER, CHARLES M.

DOC DATE: 07/09/1998

ASSIGNEE:

PERKIN-ELMER CORPORATION, THE

761 MAIN AVENUE

M/S 199

NORWALK, CONNECTICUT 06859-0199

SERIAL NUMBER: 09075392

FILING DATE: 05/08/1998

PATENT NUMBER:

ISSUE DATE:

LAWAN FLETCHER, EXAMINER

ASSIGNMENT DIVISION

OFFICE OF PUBLIC RECORDS

COPY of papers previously
submitted in 09/075,392

MID 7-2748

07-31-1998

FORM PTO-1003
1-01-92

:ET

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

Tab settings 000 ▼

100782285

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

John G. Atwood, Adrian Fawcett, Keith S. Ferrara, Paul M. Hetherington, Richard W. Noreiks, Douglas E. Olsen, John R. Widonski and Charles M. Wittmer
Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

2. Name and address of receiving party(ies):

Name: The Perkin-Elmer Corporation

Internal Address: M/S 199

Street Address: 761 Main Avenue

City: Norwalk State: CT ZIP: 06859-0199

Additional name(s) & address(es) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

Execution Date: 7/14, 7/16, 7/9, 7/10, 7/9, 7/9,

7/17, 7/9/98

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

09/075,392

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: David Aker

Internal Address: M/S 199

Street Address: The Perkin-Elmer Corp.

761 Main Avenue

City: Norwalk State: CT ZIP: 06859

6. Total number of applications and patents involved: one

7. Total fee (37 CFR 3.41): \$ 40.00

☐ Enclosed☒ Authorized to be charged to deposit account

8. Deposit account number:

16-1335

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

David Aker

Name of Person Signing
Attorney for the Applicant
Reg. No. 29,277

Signature

July 22, 1998

Date

Total number of pages comprising cover sheet

8

OMB No. 0651-0011 (exp. 4/94)

Do not detach this portion

Mail documents to be recorded with required cover sheet information to:

07/29/1998 DNGUYEN 00000150 161335 09075392

01 FC:581

40.00 CH

Commissioner of Patents and Trademarks
Box AssignmentsCOPY of papers previously
submitted in 09/075,392

BT-4522ASSIGNMENT

WHEREAS, We, John G. Atwood, Adrian Fawcett, Keith S. Ferrara, Paul M. Hetherington, Richard W. Noreiks, Douglas E. Olsen, John R. Widomski and Charles M. Wittmer, residing respectively at 149 Limekiln Rd., West Redding, CT 06896; 3606 W. Las Positas Boulevard, Pleasanton, CA 94588; 383 Woodstock Ave., Stratford, CT 06497; #103 - 10 Wild Oaks Rd., Goldens Bridge, NY 10526; 5300 Main Street, Stratford, CT 06614; 30 Lake Drive South RR3, New Fairfield, CT 06812; 10 Serene Drive, Shelton, CT 06484 and 15 Clarion Place, Trumbull, CT 06611 have invented certain new and useful improvements in IMPROVEMENTS IN THERMAL CYCLER FOR PCR for which We have executed an application for Letters Patent of the United States, concurrently herewith:

AND WHEREAS The Perkin-Elmer Corporation, a corporation of the State of New York, having a principal place of business at 761 Main Avenue, Norwalk, Connecticut 06859-0199, is desirous of obtaining the entire right, title and interest in, to and under the said improvements and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledge, We, the said John G. Atwood, Adrian Fawcett, Keith S. Ferrara, Paul M. Hetherington, Richard W. Noreiks, Douglas E. Olsen, John R. Widomski and Charles M. Wittmer, have, sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said The Perkin-Elmer Corporation, its successors, legal representatives and assigns, the entire right, title and interest in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to

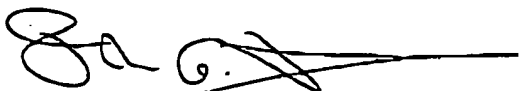
COPY of papers previously
submitted in 09/075,392

the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof, and we hereby authorize and request the Commissioner of Patents and Trademarks of the United States and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said The Perkin-Elmer Corporation, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant that We have full right to convey the entire interest herein assigned, and that We have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that We will communicate to the said The Perkin-Elmer Corporation, its successors, legal representatives and assigns, any facts known to us respecting said improvement, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said Corporation, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, We hereunto set our hands and seal on the date indicated below.



John G. Atwood

July 14 1998
Date

Witness


3

BT-4522

Adrian Fawcett

Date

Witness



Keith S. Ferrara

7-9-98

Date

Witness



Paul M. Hertherington

7/10/98

Date

Witness



Richard W. Noreiks

7/9/98

Date

Witness

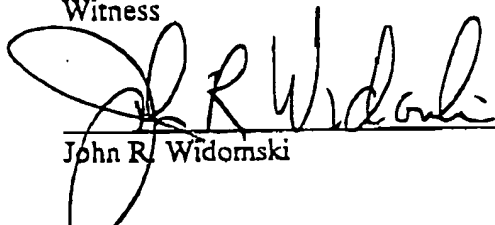


Douglas E. Olsen

7/9/98

Date

Witness



John R. Widomski

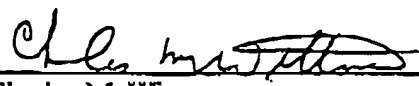
0717-98

Date

Witness

4

BT-4522



Charles M. Wittmer

July 9, 1998
Date

Witness

COPY of papers previously
submitted in 09/075,392

BT-4522ASSIGNMENT

WHEREAS, We, John G. Atwood, Adrian Fawcett, Keith S. Ferrara, Paul M. Hetherington, Richard W. Noreiks, Douglas E. Olsen, John R. Widomski and Charles M. Wittmer, residing respectively at 149 Limekiln Rd., West Redding, CT 06896; 3606 W. Las Positas Boulevard, Pleasanton, CA 94588; 383 Woodstock Ave., Stratford, CT 06497; #103 - 10 Wild Oaks Rd., Goldens Bridge, NY 10526; 5300 Main Street, Stratford, CT 06614; 30 Lake Drive South RR3, New Fairfield, CT 06812; 10 Serene Drive, Shelton, CT 06484 and 15 Clarion Place, Trumbull, CT 06611 have invented certain new and useful improvements in IMPROVEMENTS IN THERMAL CYCLER FOR PCR for which We have executed an application for Letters Patent of the United States, concurrently herewith:

AND WHEREAS The Perkin-Elmer Corporation, a corporation of the State of New York, having a principal place of business at 761 Main Avenue, Norwalk, Connecticut 06859-0199, is desirous of obtaining the entire right, title and interest in, to and under the said improvements and the said application:

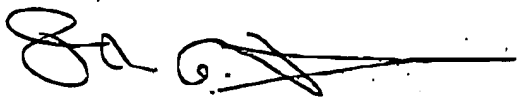
NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledge, We, the said John G. Atwood, Adrian Fawcett, Keith S. Ferrara, Paul M. Hetherington, Richard W. Noreiks, Douglas E. Olsen, John R. Widomski and Charles M. Wittmer: have, sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said The Perkin-Elmer Corporation, its successors, legal representatives and assigns, the entire right, title and interest in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to

the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents and Trademarks of the United States and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said The Perkin-Elmer Corporation, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant that We have full right to convey the entire interest herein assigned, and that We have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that We will communicate to the said The Perkin-Elmer Corporation, its successors, legal representatives and assigns, any facts known to us respecting said improvement, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said Corporation, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, We hereto set our hands and seal on the date indicated below.


John G. Atwood

July 14 1998
Date

Witness

Adrian Fawcett
Adrian Fawcett

7/16/98
Date

Witness
Keith S. Ferrara
Keith S. Ferrara

7-9-98
Date

Witness
Paul M. Hetherington
Paul M. Hetherington

7/10/98
Date

Witness
Richard W. Noreiks
Richard W. Noreiks

7/9/98
Date

Witness
Douglas E. Olsen
Douglas E. Olsen

7/9/98
Date

Witness
John R. Widomski
John R. Widomski

Date

Witness

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submitted in 09/075,392

PTO/SB/122 (11-96)

Approved for use through 6/30/99. OMB 0651-0035
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

CHANGE OF CORRESPONDENCE ADDRESS Application	Complete if Known	
	Application Number	09/075,392
	Filing Date	May 8, 1998
	First Named Inventor	John G. Atwood
	Examiner Name	To Be Assigned
	Group / Art Unit	2764
Attorney Docket Number		BT-4522

Address to:
Assistant Commissioner for Patents
Washington, D.C. 20231

Please change the Correspondence Address for the above-referenced application to:

☐

Customer Number

Type Customer Number here

Place Customer
Number Bar Code
Label here

OR

☒Firm or
Individual Name

PE Applied Biosystems

Address

850 Lincoln Centre Drive

Address

City

Foster City

Country

USA

State

CA

Zip

94404

Telephone

650-638-6014

Fax

650-638-6071

This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).

I am the:

☐

Applicant.

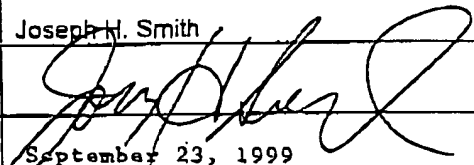
☒Assignee of record of the entire interest.
Certificate under 37 CFR 3.73(b) is enclosed.☐

Attorney or agent of record

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FEB 19 2002

PATENT OFFICE

Typed or Printed Name	Joseph H. Smith
Signature	
Date	September 23, 1999

Case No. 4480C1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Atwood et al.

Serial No. 09/075,392

Filed: May 8, 1998

For: IMPROVEMENTS IN THERMAL
CYCLER FOR PCR

) Art Unit: 2764

) Examiner: To Be Assigned

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on	
September 27, 1999	(Date of Deposit)
Jwana Sanders	Name of Depositing Party
Jwana Sanders	Signature of Depositing Party

REQUEST TO CHANGE ATTORNEY DOCKET NUMBER

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Assistant Commissioner for Patents
Washington, D.C. 20231

FEB 19 2002

DEPOSITIONS OFFICE

Sir:

Applicants hereby request that the attorney Docket Number for the above-captioned application be changed as follows:

Old Case No.: BT-4522:New Case No.: 4480C1

If any fee for this change is required, the Commissioner is authorized to charge such fee to Deposit Account No. 01-2213 (Order No. 4480C1). A duplicate sheet is enclosed.

Respectfully submitted,

Date: September 27, 1999

Harry G. Thibault
Harry G. Thibault
Attorney for Applicant
Reg. No. 26,347

PE APPLIED BIOSYSTEMS DIVISION
The Perkin-Elmer Corporation
850 Lincoln Centre Drive
Foster City, CA 94404
(650) 638-6014 (Phone)
(650) 638-6071 (Fax)

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submitted in 09/075,392

Exhibit 2

Actions Due		Clear	Copy	Search	Save	Print	Delete	Undo	Exit
Case Number:	4208			Country:	EP	European Patent Office		Sub Case:	
Application #:	95910922.4			Status:	Published				
Filing Date:	06-Feb-1995			Response Sent Date:	20-Nov-2000				
Action Type:	EP-Office action			Response Sent Date:	20-Nov-2000				
5 Actions Due									
1 Month to respond to O.A.	04-Jan-2001	Reminder			20-Nov-2000				
Due date Respond O.A.	04-Feb-2001	Due Date			20-Nov-2000				
Follow up to office action	20-Feb-2001	Due Date			08-Feb-2001				
1st Ext. O.A.	04-Mar-2001	Due Date			20-Nov-2000				
2nd Ext. O.A. FINAL	04-Apr-2001	Final			20-Nov-2000				
User ID:	Julie	Date Created:	16-Oct-2000	Country:	US	Sub Case:	C1		
Case Number:	4299			Country:	United States of America				
Application #:	09/195111			Status:	Pending				
Filing Date:	01-Feb-2000			Action Date:	04-Oct-2000				
Action Type:	US-3 Month Office Action			Response Sent Date:	01-Feb-2001				
7 Actions Due									
2 Month Due Date	04-Dec-2000	Reminder			01-Feb-2001				
3 Month Due Date	04-Jan-2001	Due Date			01-Feb-2001				
4 Month Due Date	04-Feb-2001	Reminder			01-Feb-2001				
5 Month Due Date	04-Mar-2001	Reminder			01-Feb-2001				
2 Weeks to Final Date	19-Mar-2001	Due Date			01-Feb-2001				
6 Month Final	04-Apr-2001	Final			01-Feb-2001				
US-3 Month O.A. follow up	01-Jun-2001	Due Date			02-Jul-2001				

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ENTIONS OFFICE

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User ID	POS	Date Created	11-Oct-2000	Last Update	03-Feb-2001
Case Number	PCTN-2	Country	WO	Sub Class	
Application #		Patent Cooperation Treaty			
Filing Date	06-Nov-2000	Status	Pending		
Action Type	Priority Document Due	Action Base Date	04-Nov-1999	Response Sent Date	
1 Action(s) Due	Due Date	Indicator	Taken		
Priority Document Due	04-Mar-2001	Due Date	01-Jan-1990		
User ID	POS	Date Created	01-Dec-2000	Last Update	01-Dec-2000
Case Number	PCTN-2	Country	WO	Sub Class	
Application #		Patent Cooperation Treaty			
Filing Date	06-Nov-2000	Status	Pending		

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Action Type:	Record Copy Due	Action Base Date:	04-Nov-1999
		Response Sent Date:	
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1 Action(s) Due	Due Date	Indicator	1 Item
Record Copy Due	04-Mar-2001	Due Date	01-Jan-1990
<hr/>			
User ID:	pos	Date Created:	01-Dec-2000
Case Number:	PCTN-2	Country:	IWO
Application #:		Patent Cooperation Treaty	
Filing Date:	06-Nov-2000	Status:	Pending
Action Type:	Search Copy Due	Action Base Date:	04-Nov-1999
		Response Sent Date:	
<hr/>			
1 Action(s) Due	Due Date	Indicator	1 Item
Search Copy Due	04-Mar-2001	Due Date	01-Jan-1990
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User ID:	pos	Date Created:	01-Dec-2000
Case Number:	PCTN-2	Country:	IWO
Application #:		Patent Cooperation Treaty	
Filing Date:	06-Nov-2000	Status:	Pending

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Action Type	US Allowability Formal Drawing	Action Base Date	04-Dec-2000
		Response Sent Date	21-Dec-2000

Action(s) Due	Due Date	Indicator	Taken
Formal Drawings Due in 1 mo.	04-Feb-2001	Reminder	21-Dec-2000
Formal Drawings Due	04-Mar-2001	Due Date	21-Dec-2000
US-Allowability Follow Up Date	21-Jun-2001	Due Date	21-Dec-2000

User ID	005	Date Created	18-Dec-2000	Last Update	29-Dec-2000
Case Number	4273	Country	CA	Sub Case	
Application #	229891	Canada			
Filing Date	05-Apr-1996	Status	Pending		
Action Type	Office Action	Assign Base Date	04-Dec-2000		
		Response Sent Date	12-Mar-2001		

Action(s) Due	Due Date	Indicator	Taken
Response Due - Reminder	04-Mar-2001	Reminder	12-Mar-2001
CA-Office Action Response Due	04-Apr-2001	Due Date	12-Mar-2001
Office Action Follow Up Date	12-Sep-2001	Due Date	04-Apr-2001

User ID	003	Date Created	16-Jan-2001	Last Update	12-Mar-2001
Case Number	4444	Country	US	Sub Case	
Application #	08311079	United States of America			
Filing Date	13-May-1993	Status	Pending		

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Action Type: US-3 Month Office Action		Action Base Date: 04-Oct-2000		
		Response Sent Date: 23-Feb-2001		
1	Action(s) Due	Due Date	Indicator	Take
2	Month Due Date	04-Dec-2000	Reminder	23-Feb-2001
3	Month Due Date	04-Jan-2001	Due Date	23-Feb-2001
4	Month Due Date	04-Feb-2001	Reminder	23-Feb-2001
5	Month Due Date	04-Mar-2001	Reminder	23-Feb-2001
12	Weeks to Final Date	19-Mar-2001	Due Date	23-Feb-2001
6	Month Final	04-Apr-2001	Final	23-Feb-2001
US-3	Month O.A. follow up	23-Jun-2001	Due Date	18-Jul-2001
Office Action	follow up	23-Jul-2001	Reminder	18-Jul-2001

User ID: [redacted]	Date Created: 05-Feb-2001	Last Update: 23-Jul-2001
Go To: <input type="button" value="Invention"/>	<input type="button" value="Country Application"/>	

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submitted in 09/075,392

Exhibit 3

**COPY of papers previously
submitted in 09/075,392**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of: Atwood et al.

SERIAL NO.: 09/075,392

ART UNIT: 2781

FILED: 05/08/98

EXAMINER: F. Backer

TITLE: IMPROVEMENTS IN THERMAL CYCLER FOR PCR

ATTORNEY DOCKET NO.: 715-009180-US (C01)

Assistant Commissioner for Patents
Washington, DC 20231REQUEST TO CHANGE CORRESPONDENCE ADDRESS

Dear Sir:

This is a request to change the correspondence address for this application to:

David Aker
Perman & Green, LLP
425 Post Road
Fairfield, CT 06430

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FEB 19 2002

PATENT OFFICE

Respectfully submitted,



David Aker, Reg. No. 29,277

6/19/01
Date

Perman & Green, LLP
425 Post Road
Fairfield, CT 06430
Telephone: (203) 259-1800
Facsimile: (203) 255-5170
Customer No.: 2512

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Submitted in 09/075,392

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office (Fax No. (703) 305-3719) on the date noted below.

Cam Marsh

Name of Person Making Deposit

6/19/01

Date

8703 8 6916

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Confirmation Report - Memory Send

Time : Aug-16-2001 01:40pm
Tel line : 6506386677
Name : APPLIED BIOSYSTEMS LEGAL 2

Job number : 861
Date : Aug-16 01:28pm
To : 817033053718
Document pages : 029
Start time : Aug-16 01:28pm
End time : Aug-16 01:40pm
Pages sent : 029
Status : OK

Job number : 861

*** SEND SUCCESSFUL ***

PE BIOSYSTEMS
A PE Corporation Business
850 Lincoln Centre Drive
Foster City, CA 94404-1128

FAX TRANSMITTAL

Date: August 16, 2001

To: **Firmin Backer**
Examiner
Group Art Unit 2155

Company: Patent and Trademark Office

Fax No.: 703-305-3718

Telephone No.: 703-305-0624

From: **Cheri Gomez for Harry C. Thibault**
Legal Department
Fax No.: 650-638-6677
Telephone No.: 650-638-5039

Subject: U.S. Patent Application No.: 09/075,392
Filing Date: May 8, 1998
Title: Improvements in Thermal Cycler for PCR

Case No.: BT-4322/715-009180/4480C1

No. of pages (including cover sheet): 29

Message:

Attached please find our Request to Rescind Holding of Abandonment for Failure to Receive Office Action along with Exhibits 1 - 3.

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Confirmation Report - Memory Send.

Time : Aug-08-2001 02:55pm
Tel line : 6506386677
Name : APPLIED BIOSYSTEMS LEGAL 2

Job number : 727
Date : Aug-08 02:45pm
To : 817033053718
Document pages : 029
Start time : Aug-08 02:45pm
End time : Aug-08 02:55pm
Pages sent : 029
Status : OK

Job number : 727

*** SEND SUCCESSFUL ***

PE BIOSYSTEMS
A PE Corporation Business
850 Lincoln Centre Drive
Foster City, CA 94404-1128

FAX TRANSMITTAL

Date: August 8, 2001

To: Miriam Backer
Examiner
Group Art Unit 2155

Company: Patent and Trademark Office

Fax No.: 703-305-3718

703-305-3718

Telephone No.: 703-305-0624

From: Cheri Gomez for Harry G. Thibault
Legal Department
Fax No.: 650-638-6677
Telephone No.: 650-638-6039

Subject: U.S. Patent Application No.: 09/075,392
Filing Date: May 8, 1998
Title: Improvements in Thermal Cycler for PCR

Case No.: BT-4522/715-009180/4480C1

No. of pages (including cover sheet): 29

Message:

Attached please find our Request to Rescind Holding of Abandonment for Failure to Receive Office Action along with Exhibits 1 - 3.

If you have any questions, please direct your call to Harry Thibault at 650-638-6014.
Thank you.

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